

Before the
Federal Communications Commission
Washington, D.C. 20554

Adelphia Business Solutions of Pennsylvania, Inc.,)	
Complainant)	File No. PA 01-004
)	
v.)	
)	
Duquesne Light Company,)	
Respondent.)	

ORDER

Adopted: August 8, 2002

Released: August 12, 2002

By the Assistant Chief, Enforcement Bureau:¹

1. On September 17, 2001, Adelphia Business Solutions of Pennsylvania, Inc. ("Complainant") filed the above-referenced pole attachment complaint against Duquesne Light Company ("Respondent") pursuant to the Pole Attachment Act² and Subpart J of Part 1 of the Commission's rules.³ On August 5, 2002, Complainant and Respondent submitted a notice of settlement and request for dismissal, with prejudice, of the referenced complaint ("Notice"). In the Notice, the parties state that they have reached a full settlement of all claims in the referenced complaint. On the basis of the statement contained in the Notice, we conclude that there are no longer issues in controversy and therefore, we terminate the proceeding.

2. Accordingly, IT IS ORDERED, pursuant to Sections 0.111, 0.311 and 1.1415 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311 and 1.1415, that the referenced complaint IS DISMISSED WITH PREJUDICE and this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen F. Costello
Assistant Chief, Enforcement Bureau

¹ Effective March 25, 2002, the Commission transferred responsibility for resolving pole attachment complaints from the former Cable Services Bureau to the Enforcement Bureau. *See Establishment of the Media Bureau, the Wireline Competition Bureau and the Consumer and Governmental Affairs Bureau, Reorganization of the International Bureau and Other Organizational Changes*, FCC 02-10, 17 FCC Rcd 4672 (2002).

² Section 224 of the Communications Act of 1934, *as amended*, 47 U.S.C. §224.

³ 47 C.F.R. §§1.1401-1.1418.